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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: HOFFMAN, Arnold et al. Examiner: James D. Anderson
Application No.: 10/621,326 Art Unit: 1614
Filed: 4/17/2004
For: REDOX THERAPY FOR TUMORS

Re: Petition for Reinstatement of Priority Claim Under 35 U.S.C. 365(b)

* * *

Date: May 27, 2008

Attention: Office of Petitions

To the Honorable Commissioner for Patents
Mail Stop Petition
P.O. Box 1450
Alexandria, VA 22313-1450

05/28/2008 PCHOMP 00000037 503391 10621326
02 FC:1454 1410.00 DA

Dear Sir:

Applicants herein petition for reinstatement of their Priority Claim Under 35 U.S.C. 365(a), which provides in pertinent part that a national application shall be entitled to the right of priority based on a prior filed international application which designated at least one country other than the United States. It was intended that the above-identified application claim priority as a continuation-in-part (CIP) of prior-filed PCT application PCT/IL02/0005 (WO 02/056823). Indeed, the present application originally was filed with the following priority claim: "The present application is a continuation-in-part of application No. PCT/IL02/0005 1, filed January 18, 2002, and claims priority from Israeli Patent Application No. 140970, filed January 18, 2001, the entire contents of each of which are hereby incorporated herein by reference." However, by Amendment of January 3, 2007, Applicants withdrew their priority claim "to both the

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Israeli priority application as well as the PCT international application of which the present application was previously designated as a CIP." Applicant's withdrawal of the priority claim to PCT/IL02/0005 was an inadvertent mistake, and Applicants now submit this Petition to reinstate it.

THE APPLICANTS HEREBY PETITIONS FOR REINSTATEMENT OF ITS PRIORITY CLAIM UNDER 35 U.S.C. 365(b). Applicant acknowledges that the inadvertent withdrawal of said priority claim was its mistake to begin with, and so enclosed herewith is the Petition fee of \$1410.00 required by 37 C.F.R. 1.17(t). Applicants have not filed a non-publication request, and the present application is published and so the present Petition will not affect the public in any manner.

By Amendment submitted herewith, Applicant has canceled the original (as-filed) priority claim and proposes to substitute therefor: "The present application is a continuation-in-part of International application No. PCT/IL02/0005 (WO 02/056823) filed January 18, 2002.

Accordingly, the Applicant hereby petitions for reinstatement of its priority claim under 35 U.S.C. 365(b). The inadvertent waiver of the PCT priority claim was a mistake, entirely unintentional, and approval of Applicant's Petition is believed to be in order.

I declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

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I further declare that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or by both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the above-referenced patent application.

* * * * *

Respectfully submitted,

Royal W. Craig
Registration No. 34,145
Ober/Kaler
120 East Baltimore Street
Suite 800
Baltimore, MD 21202
410-347-7303